

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JESUS FUENTES,

Plaintiff,

- against -

ORDER

CV 10-1587 (FB)(MDG)

NEW YORK CITY DEPARTMENT OF
EDUCATION, et al.,

Defendants.

- - - - -X

GO, United States Magistrate Judge:

By letter dated November 23, 2010, plaintiff pro se Jesus Fuentes seeks to amend his complaint to change any references in paragraph 53 from the Fourteenth Amendment to the Fifth Amendment. Since plaintiff's letter was filed before the defendants served their motion to dismiss under Rule 12, plaintiff may amend the complaint as of right. See Fed. R. Civ. P. 15(a)(1). Accordingly, the complaint is deemed amended and plaintiff need not file an additional pleading at this time. However, plaintiff is advised that in order to amend the complaint in the future, he must obtain the defendants' written consent or leave of the Court.

SO ORDERED.

Dated: Brooklyn, New York
January 4, 2011

/s/
MARILYN DOLAN GO
UNITED STATES MAGISTRATE JUDGE